



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/534,768	05/09/2006	Manfred Baumkoetter	2345/219	1770
26646	7590	09/17/2007	EXAMINER	
KENYON & KENYON LLP ONE BROADWAY NEW YORK, NY 10004			ZEWARI, SAYED T	
			ART UNIT	PAPER NUMBER
			2617	
			NOTIFICATION DATE	DELIVERY MODE
			09/17/2007	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

uspto@kenyon.com

Office Action Summary	Application No.	Applicant(s)
	10/534,768	BAUMKOETTER, MANFRED
Examiner	Art Unit	
Sayed T. Zewari	2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 12 May 2005.
 2a) This action is FINAL. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-18 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) Claim(s) _____ is/are allowed.
 6) Claim(s) 1-18 is/are rejected.
 7) Claim(s) _____ is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date: _____
3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date: _____	5) <input type="checkbox"/> Notice of Informal Patent Application
	6) <input type="checkbox"/> Other: _____

1. The Art Unit location of your application in the USPTO has changed. To aid in correlating any papers for this application, all further correspondence regarding this application should be directed to Art Unit 2617.

Objections

Specification

2. The specification is objected to because it is almost incomprehensible. For proper examination of the application, the examiner needs to read and understand the application thoroughly. As it is written now, it puts enormous burden on the examiner. It needs to be rewritten in simple, clear and understandable language. For future examination it needs to be rewritten completely. Correction is required. See MPEP § 608.01(b).

3. The following guidelines illustrate the preferred layout for the specification of a utility application. These guidelines are suggested for the applicant's use.

Arrangement of the Specification

4. As provided in 37 CFR 1.77(b), the specification of a utility application should include the following sections in order. Each of the lettered items should appear in upper case, without underlining or bold type, as a section heading. If no text follows the section heading, the phrase "Not Applicable" should follow the section heading:

- (a) TITLE OF THE INVENTION.
- (b) CROSS-REFERENCE TO RELATED APPLICATIONS.
- (c) STATEMENT REGARDING FEDERALLY SPONSORED RESEARCH OR DEVELOPMENT.
- (d) THE NAMES OF THE PARTIES TO A JOINT RESEARCH AGREEMENT.
- (e) INCORPORATION-BY-REFERENCE OF MATERIAL SUBMITTED ON A COMPACT DISC.
- (f) BACKGROUND OF THE INVENTION.
 - (1) Field of the Invention.

(2) Description of Related Art including information disclosed under 37 CFR 1.97 and 1.98.

(g) BRIEF SUMMARY OF THE INVENTION.

(h) BRIEF DESCRIPTION OF THE SEVERAL VIEWS OF THE DRAWING(S).

(i) DETAILED DESCRIPTION OF THE INVENTION.

(j) CLAIM OR CLAIMS (commencing on a separate sheet).

(k) ABSTRACT OF THE DISCLOSURE (commencing on a separate sheet).

(l) SEQUENCE LISTING (See MPEP § 2424 and 37 CFR 1.821-1.825. A "Sequence Listing" is required on paper if the application discloses a nucleotide or amino acid sequence as defined in 37 CFR 1.821(a) and if the required "Sequence Listing" is not submitted as an electronic document on compact disc).

Content of Specification

(a) Title of the Invention: See 37 CFR 1.72(a) and MPEP § 606. The title of the invention should be placed at the top of the first page of the specification unless the title is provided in an application data sheet. The title of the invention should be brief but technically accurate and descriptive, preferably from two to seven words may not contain more than 500 characters.

(b) Cross-References to Related Applications: See 37 CFR 1.78 and MPEP § 201.11.

(c) Statement Regarding Federally Sponsored Research and Development: See MPEP § 310.

(d) The Names Of The Parties To A Joint Research Agreement: See 37 CFR 1.71(g).

(e) Incorporation-By-Reference Of Material Submitted On a Compact Disc: The specification is required to include an incorporation-by-reference of electronic documents that are to become part of the permanent United States Patent and Trademark Office records in the file of a patent application. See 37 CFR 1.52(e) and MPEP § 608.05. Computer program listings (37 CFR 1.96(c)), "Sequence Listings" (37 CFR 1.821(c)), and tables having more than 50 pages of text were permitted as electronic documents on compact discs beginning on September 8, 2000.

(f) Background of the Invention: See MPEP § 608.01(c). The specification should set forth the Background of the Invention in two parts:

- (1) Field of the Invention: A statement of the field of art to which the invention pertains. This statement may include a paraphrasing of the applicable U.S. patent classification definitions of the subject matter of the claimed invention. This item may also be titled "Technical Field."
- (2) Description of the Related Art including information disclosed under 37 CFR 1.97 and 37 CFR 1.98: A description of the related art known to the applicant and including, if applicable, references to specific related art and problems involved in the prior art which are solved by the applicant's invention. This item may also be titled "Background Art."

(g) Brief Summary of the Invention: See MPEP § 608.01(d). A brief summary or general statement of the invention as set forth in 37 CFR 1.73. The summary is separate and distinct from the abstract and is directed toward the invention rather than the disclosure as a whole. The summary may point out the advantages of the invention or how it solves problems previously existent in the prior art (and preferably indicated in the Background of the Invention). In chemical cases it should point out in general terms the utility of the invention. If possible, the nature and gist of the invention or the inventive concept should be set forth. Objects of the invention should be treated briefly and only to the extent that they contribute to an understanding of the invention.

(h) Brief Description of the Several Views of the Drawing(s): See MPEP § 608.01(f). A reference to and brief description of the drawing(s) as set forth in 37 CFR 1.74.

(i) Detailed Description of the Invention: See MPEP § 608.01(g). A description of the preferred embodiment(s) of the invention as required in 37 CFR 1.71. The description should be as short and specific as is necessary to describe the invention adequately and accurately. Where elements or groups of elements, compounds, and processes, which are conventional and generally widely known in the field of the invention described and their exact nature or type is not necessary for an understanding and use of the invention by a person skilled in the art, they should not be described in detail. However, where particularly complicated subject matter is involved or where the elements, compounds, or processes may not be commonly or widely known in the field, the specification should refer to another patent or readily available publication which adequately describes the subject matter.

(j) Claim or Claims: See 37 CFR 1.75 and MPEP § 608.01(m). The claim or claims must commence on separate sheet or electronic page (37 CFR

1.52(b)(3)). Where a claim sets forth a plurality of elements or steps, each element or step of the claim should be separated by a line indentation. There may be plural indentations to further segregate subcombinations or related steps. See 37 CFR 1.75 and MPEP § 608.01(i)-(p).

- (k) Abstract of the Disclosure: See MPEP § 608.01(f). A brief narrative of the disclosure as a whole in a single paragraph of 150 words or less commencing on a separate sheet following the claims. In an international application which has entered the national stage (37 CFR 1.491(b)), the applicant need not submit an abstract commencing on a separate sheet if an abstract was published with the international application under PCT Article 21. The abstract that appears on the cover page of the pamphlet published by the International Bureau (IB) of the World Intellectual Property Organization (WIPO) is the abstract that will be used by the USPTO. See MPEP § 1893.03(e).
- (l) Sequence Listing, See 37 CFR 1.821-1.825 and MPEP §§ 2421-2431. The requirement for a sequence listing applies to all sequences disclosed in a given application, whether the sequences are claimed or not. See MPEP § 2421.02.

Drawings

5. The drawing is objected to because there are no detail drawings to help understand the invention. The one drawing submitted has only few block diagrams having no proper label but just a number. It requires repeated referral back to the specification to figure out what a particular block is. The drawing does not sufficiently explain the invention. Please submit sufficient drawings and flow charts to explain the invention.

6. The subject matter of this application admits of illustration by a drawing to facilitate understanding of the invention. Applicant is required to furnish a drawing under 37 CFR 1.81(c). No new matter may be introduced in the required drawing. Each drawing sheet submitted after the filing date of an application must be labeled in

the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d).

7. The drawings are objected to under 37 CFR 1.83(a) because they fail to show details as described in the specification. Any structural detail that is essential for a proper understanding of the disclosed invention should be shown in the drawing. MPEP § 608.02(d). Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Objections

8. Claims 3-7, 9, 13-14, and 17 are objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim. See MPEP § 608.01(n).
9. Accordingly, the claim 3-7, 9, 13-14, and 17 not been further treated on the merits.

DETAILED ACTION

Claim Rejections - 35 USC § 102

10. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

11. Claims 10-11, and 15-17 are rejected under 35 U.S.C. 102(e) as being anticipated Lee et al. (US 6,847,632).

With respect to claim 10, Lee discloses a system for implementing the method as recited in Claim 1, at least including a telecommunication terminal (1) provided for use in a mobile telephony network (**See Lee's figure 5, col.4 lines 40-41, col.10 lines 4-5**); an Internet access unit (2) able to be networked with the telecommunication terminal (1) in a LAN (**See Lee's figure 5(519, 508, 550, 517-518, 555), col.10 lines 39-54**); and an

access and switching unit (9, 10, 11) of the mobile telephony network, which is IP-addressable via the Internet (8) and integrated in the infrastructure of a mobile telephony network in which the mobile telecommunication terminal (1) is able to be used (See Lee's access & switching unit: figure 2(62), figure 1, col.4 lines 65-67, col. 5 lines 13).

With respect to claim 11, Lee discloses a system wherein the telecommunication terminal (i) is a TC system having a functional unit for mobile telephony communication (See Lee's figure 5, col.4 lines 40-41, col.10 lines 4-5).

With respect to claim 15, Lee discloses a telecommunication terminal (1) (See Lee's figure 5, col.4 lines 40-41, col.10 lines 4-5) wherein it is designed as mobile telephone (See Lee's figure 5, col.4 lines 40-41, col.10 lines 4-5) which, in addition to the functional units (7, 15) for the operation in a mobile telephony network (See Lee's figure 5(519-520, 57-518), col.10 lines 39-54), includes a control unit (3) (See Lee's figure 5(519-520, 57-518), col.10 lines 39-54) with a memory (See Lee's figure 5(519-520, 57-518), col.10 lines 39-54) and means (4, 5, 6) for integrating the device in a LAN (See Lee's figure 5(519, 508, 550, 517-518, 555), col.10 lines 39-54), the control unit (3) inherently controlling the switch between different operating modes with respect to an exclusively mobile-telephony-based (mobile telephony operation) or an at least partially Internet-based (Internet operation) telecommunication (See Lee's figure 5(519, 508, 550, 517-518, 555), col.10 lines 39-54), and, in Internet operation, the LAN-based data exchange with an Internet access unit (2). (See Lee's col.11 lines 13-30).

With respect to claim 16, the above discloses a terminal wherein the means for integration in the LAN is a unit (6) for the wireless or radio-based connection to the LAN (WLAN)(**See Lee's radio path: figure 2(50, 98), Internet connecting path: figure 2(98, 120, 123, 110), access & switching unit: 62**) col.4 lines 31-32, col.6 lines 10-21, 22-67, col.7 lines 1-67, col.8 lines 1-11).

With respect to claim 17, Lee discloses a terminal wherein the means for integration into the LAN is a unit (5) for the optical in-coupling into the LAN (**See Lee's radio path: figure 2(50, 98), Internet connecting path: figure 2(98, 120, 123, 110), access & switching unit: 62**) col.4 lines 31-32, col.6 lines 10-21, 22-67, col.7 lines 1-67, col.8 lines 1-11).

Claim Rejections - 35 USC § 103

12. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

13. Claims 1-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lee et al. (US 6,847,632) in view of Labun et al. (US 2003/0,119,527).

With respect to claim 1, Lee discloses a method for providing a communication path to a mobile telephony network (**See Lee's abstract, col.1 lines 36-50, 59-63,**

col.2 lines 1-33) according to which, to set up a telecommunication connection between a telecommunication terminal (1) designed to be used in a mobile telephony network and a distant terminal (**See Lee's figure 2(50), col.4 lines 31-32, col.6 lines 10-21, 22-67, col.7 lines 1-67, col.8 lines 1-11**), a radio communication (12) (radio path) or a connection (13) that includes the Internet (8) (Internet connecting path) is utilized as connecting path between the telecommunication terminal (1) and the access and switching units (9, 10, 11) of the mobile telephony network (**See Lee's radio path: figure 2(50, 98), Internet connecting path: figure 2(98, 120, 123, 110), access & switching unit: 62**) **col.4 lines 31-32, col.6 lines 10-21, 22-67, col.7 lines 1-67, col.8 lines 1-11**), either optionally, i.e., automatically, or initiated by a user of the telecommunication terminal (1) (**See Lee's col.3 lines 14-35**), the access and switching units (9, 10, 11) and the telecommunication terminal (1) treating the Internet connecting path (8, 13) like another radio cell of the mobile telephony network as far as the sequences are concerned that are connected to the activation of the telecommunication terminal (1) and its check-in or booking into the mobile telephony network (**See Lee's access & switching unit: figure 2(62), figure 1, col.4 lines 65-67, col. 5 lines 13**). However, Lee does not specifically disclose switchover of the connecting path between radio path (12) and Internet path (8, 13) or vice versa implemented in a changeover or a handover. But Labun discloses switchover of the connecting path between cellular and non-cellular network (**See Labun's abstract, figure 1, see section [0001]-[0006], [0036]**). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Lee and combine with it with the

invention of Labun, thereby providing terminal that is capable of using cellular and non-cellular networks, as described by Labun (**See Labun's abstract, figure 1, see section [0001]-[0006], [0036]**).

With respect to claim 2, Lee discloses a telecommunication method wherein the Internet connecting path (8, 13) is set up via an Internet access unit (2) (**See Lee's abstract, col.1 lines 36-50, 59-63, col.2 lines 1-33**), which is able to be networked with the telecommunication terminal (i) in a LAN (Local Area Network) (**See Lee's figure 5(519, 508, 550, 517-518, 555), col.10 lines 39-54**) and one of the access and switching units (9, I0, ii) of the mobile telephony network is addressed by the telecommunication terminal (i) via the Internet access unit (2) and the Internet (8) by means of an inherent IP address, the LAN connection of the telecommunication terminal (i) to the Internet access unit (2) being set up in a conventional fashion, in a wirebound manner, via radio (Wireless LAN-WLAN) or optically, i.e., preferably by infrared transmission (IR- LAN) (**See Lee's radio path: figure 2(50, 98), Internet connecting path: figure 2(98, 120, 123, 110), access & switching unit: 62**) **col.4 lines 31-32, col.6 lines 10-21, 22-67, col.7 lines 1-67, col.8 lines 1-11**).

With respect to claim 3, Lee discloses a telecommunication method wherein the Internet connecting path (8, 13) is routed to a mobile switching unit (MSC - Mobile Switching Center) (9) network (**See Lee's access & switching unit: figure 2(62), figure 1, col.4 lines 65-67, col. 5 lines 13**).

With respect to claim 4, Lee discloses a method wherein, if appropriate, an Internet connecting path (8, 13) existing to an access and switching unit (9, i0, II) of the

mobile telephony network is temporarily routed to a geographically more conveniently located access and switching unit, the IP address stored in the telecommunication terminal (i) during configuration of the system being temporarily modified by the particular access and switching unit (9, i0, ii) (**See Lee's access & switching unit: figure 2(62), figure 1, col.4 lines 65-67, col. 5 lines 13**).

With respect to claim 5, Lee discloses a method wherein, prior to a communication set up to one of the access and switching units (9, i0, ii) of the mobile telephony network, a query is made at a server under transmission of information regarding the actual radio area of the telecommunication terminal (i), as a result of which the server transmits to the telecommunication terminal (i) the IP address of an access and switching unit (9, i0, ii) of the mobile telephony network to be addressed preferably (**See Lee's access & switching unit: figure 2(62), figure 1, col.4 lines 65-67, col. 5 lines 13**).

With respect to claim 6, Lee discloses a method wherein, if telecommunication connections are set up utilizing the Internet connecting path (8, 13), the access and switching units (9, i0, ii) of the mobile telephony network change the rate structure for these telecommunication connections (**See Lee's access & switching unit: figure 2(62), figure 1, col.4 lines 65-67, col. 5 lines 13**).

With respect to claim 7 and 9, Lee discloses a method wherein, as it regards the telecommunication terminal (i), the method allows incoming and outgoing communications to be set up utilizing the Internet connecting path (8, 13), the Internet with the instantaneous Internet address (IP address) and possibly additional address

data regarding the telecommunication terminal (i) being stored as location information (LA -Location Area) for the incoming connections in a location register (VLR - Visited Location Register) of the access and switching units (9, i0, ii) of the mobile telephony network (**See Lee's access & switching unit: figure 2(62), figure 1, col.4 lines 65-67, col. 5 lines 13**).

With respect to claim 8, Lee discloses a method wherein the IP address and the number of the ports used for the communication by means of an Internet protocol (TCP - Transmission Control Protocol, or UDP – User Datagram Protocol are continuously updated by an inherent cyclical data exchange (**See Lee's access & switching unit: figure 2(62), figure 1, col.4 lines 65-67, col. 5 lines 13**).

14. Claims 12, 14, and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lee et al. (US 6,847,632) in view of Staples (US 6,009,151) and further in view of Stein (US 5,628,055).

With respect to claim 18, Lee discloses a telecommunication terminal. However Lee does not specifically discloses the further limitations of claim 18. But Staples discloses a terminal wherein it is designed as laptop which has a network card for the wire-bound or wireless connection to a LAN (**See Staple's figure 1(20), figure 2, col.5 lines 54-67, col.1 lines 31-67**), a soundcard (**See Staple's col.2 lines 28-36, figure 6(124)**), and also a chip-card reader for reading chip cards of a mobile telephony operator, and is thus designed at least to utilize the mobile telephony network while

establishing a connection (13) routed via the Internet (8). (**See Staple's col.2 lines 28-36, figure 6(180, 192, 30)**). However neither Staples nor Lee discloses a headset for voice communication. But Stein discloses a headset for communication (**See Stein's figure 14(320, 316)**). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Lee and combine with it with the invention of Staples, thereby providing terminal that is a laptop with sound and network card as disclosed above. Furthermore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Lee and Staples and combine with it with the invention of Stein, thereby providing terminal that is a laptop with sound and network card having a headset for communication.

With respect to claim 12, Lee discloses a telecommunication terminal. However Lee does not specifically discloses the further limitations of claim 12, But Staples discloses a terminal wherein it has a chip-card reader for reading chip cards of a mobile telephony operator (**See Staple's col.2 lines 28-36, figure 6(180, 192, 30)**). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Lee and combine with it with the invention of Staples, thereby providing terminal that has a chip-card reader for reading chip cards of a mobile telephony operator, as disclosed by Staple (**See Staple's col.2 lines 28-36, figure 6(180, 192, 30)**).

With respect to claim 14, the above combination discloses all its limitations.

15. Claims 13 is rejected under 35 U.S.C. 103(a) as being unpatentable Lee et al. (US 6,847,632) in view of well-known prior art (MPEP 2144.03).

With respect to claim 13, Lee discloses all limitations. Lee does not disclose the system to be DSL-enabled. However, an official notice is taken that the concept and use of DLS well known and expected in the art. Therefore, it would be obvious to one of ordinary skill in the art to design the system in such a way that incorporates the use of DLS.

Conclusion

16. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sayed T. Zewari whose telephone number is 571-272-6851. The examiner can normally be reached on 8:30-4:30.

17. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lester G. Kincaid can be reached on 571-272-7922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

18. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Sayed T. Zewari

September 3, 2007



LESTER G. KINCAID
SUPERVISORY PRIMARY EXAMINER